THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.5318 OF 2005

DISPOSED OF ON 18.11.2005

BETWEEN:

SMT.SUNNAM SATHYAMMA…. PETITIONER

VS.

THE COMMISSIONER,

NAGARPANCHAYAT,MEDAK….RESPONDENT

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.5318 OF 2005

ORDER:

1. This writ petition has been filed by Smt.Sunnam Sathyamma with a prayer to issue a writ of mandamus declaring the action of the respondent in issuing proceedings No.C1/3/2005, dated 28-1-2005 as illegal and arbitrary. The petitioner claims that she is the owner of 285 square yards. She submitted application seeking permission to construct shops in her site. The respondent issued the impugned proceedings requiring the petitioner to remove the structures existing in the site. Assailing the proceedings the petitioner has filed this writ petition.

2. Counter affidavit has been filed by the respondent. It is the contention of the respondent that the petitioner retained only 138.92 square yards and whereas she sought permission to construct shops in plot bearing 285 square yards.

3. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the respondent.

4. The question whether the petitioner retained 138.92 square yards or 285 square yards is beyond the scope of writ jurisdiction. It is suffice to say that the respondent considered the application of the petitioner in pursuance of the interim direction of this court on 8-6-2005 in WPMP.No.7051 of 2005 and accorded sanction for construction of shops. In view of the sanction being accorded to the writ petitioner, nothing survives for adjudication.

5. Accordingly, this writ petition is dismissed as having become infructuous. No costs.

Dt: 18-11-2005. (B.Seshasayana Reddy,J)

tnb

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.5318 OF 2005

DISPOSED OF ON 18.11.2005